



General Assembly

January Session, 2003

Amendment

LCO No. 6905

HB0651806905HDO

Offered by:

REP. VILLANO, 91st Dist.

To: House Bill No. 6518

File No. 373

Cal. No. 251

**"AN ACT CONCERNING VOLUNTARY PATERNITY
ESTABLISHMENT."**

1 Strike section 1 in its entirety and insert the following in lieu thereof:

2 "Section 1. Section 17b-27 of the general statutes is repealed and the
3 following is substituted in lieu thereof (*Effective October 1, 2003*):

4 (a) Each hospital or other institution where births occur, and each
5 entity that is approved by the Commissioner of Social Services to
6 participate in the voluntary paternity establishment program, shall,
7 with the assistance of the commissioner, develop a protocol for a
8 [hospital-based] voluntary [acknowledgment of] paternity
9 establishment program as provided in regulations adopted pursuant to
10 subsection (b) of this section, which shall be consistent with the
11 provisions of subsection (a) of section 46b-172 and shall encourage the
12 positive involvement of both parents in the life of the child. [Such]
13 Each such protocol shall assure that the participants are informed, are
14 competent to understand and agree to an affirmation or

15 acknowledgment of paternity, and that any such affirmation or
16 acknowledgment is voluntary and free from coercion. Each such
17 protocol shall also provide for the training of all staff members
18 involved in the voluntary paternity establishment process so that such
19 staff members will understand their obligations to implement the
20 voluntary paternity establishment program in such a way that the
21 participants are informed, are competent to understand and agree to
22 an affirmation or acknowledgement of paternity, and that any such
23 affirmation or acknowledgment is voluntary and free from coercion.
24 No entity may participate in the program until its protocol has been
25 approved by the commissioner. The commissioner shall make all
26 protocols and proposed protocols available for public inspection. No
27 entity or location at which all or a substantial portion of occupants are
28 present involuntarily, including, but not limited to, a prison or a
29 mental hospital, but excluding any site having a research and
30 demonstration project established under subsection (d) of section 1 of
31 public act 99-193, may be approved for participation in the voluntary
32 paternity establishment program; nor may the commissioner approve
33 any further site for participation in the program if it maintains a
34 coercive environment or if the failure to acknowledge paternity may
35 result in the loss of benefits or services controlled by the entity, which
36 are unrelated to paternity.

37 (b) The Commissioner of Social Services shall adopt regulations in
38 accordance with chapter 54 to implement the provisions of subsection
39 (a) of this section. Such regulations shall specify the requirements for
40 participation in the voluntary paternity establishment program and
41 shall include, but not be limited to, provisions (1) to assure that
42 affirmations of paternity by the mother and acknowledgments of
43 paternity by the putative father are voluntary and free from coercion,
44 and (2) to establish the contents of notices which shall be provided to
45 the mother and to the putative father before affirmation or
46 acknowledgment. The notice to the mother shall include, but not be
47 limited to, notice that the affirmation of paternity may result in rights
48 of custody and visitation, as well as a duty of support, in the person

49 named as the father. The notice to the putative father shall include, but
50 not be limited to, notice that: [he] (A) He has the right to: (i) Establish
51 his paternity voluntarily or through court action, or to contest
52 paternity; [including the right to] (ii) appointment of counsel; [.] (iii) a
53 genetic test to determine paternity [.] prior to signing an
54 acknowledgement or in conjunction with a court action; and (iv) a trial
55 by the Superior Court or a family support magistrate, and [that] (B)
56 acknowledgment of paternity will make him liable for the financial
57 support of the child until the child's eighteenth birthday and may
58 result in rights of custody and visitation being conferred on the father.
59 In no event shall the mother's failure to sign an affirmation of paternity
60 in the hospital or with any other entity agreeing to participate in the
61 voluntary paternity establishment program be considered failure to
62 cooperate with the establishment of support for the purposes of
63 eligibility for temporary assistance for needy families.

64 (c) The Department of Public Health shall establish a voluntary
65 acknowledgment of paternity system consistent with the provisions of
66 subsection (a) of section 46b-172."

67 In line 57, before "support" insert "child"

68 In line 75, after the period insert the following, "The court or family
69 support magistrate shall state on the record the basis for the court's or
70 family support magistrate's determination of past ability to pay."

71 In line 78, after "action" insert "in which the obligor failed to appear"

72 In line 80, after "state" insert "in IV-D cases"

73 In line 93, before "an" insert "request" and after "adjustment" insert
74 "and"

75 In line 120, after the period insert "The court or family support
76 magistrate shall state on the record the basis for the court's or family
77 support magistrate's determination of past ability to pay."

78 In line 126, after "state" insert "in IV-D cases"

79 In line 138, before "an" insert "request" and after the word
80 "adjustment" insert "and"